

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ESTATE OF DONALD J. HOUSEY,  
through personal representative,  
MITCHELL J. HOUSEY,

Plaintiff,  
v.

Case No. 10-11445

HON. AVERN COHN

MACOMB COUNTY, a municipal  
corporation, MARK S. SWITALSKI,  
in his individual and official capacities, and  
KATHRYN GEORGE, in her individual and  
official capacities,

Defendants.

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**ORDER DISMISSING COUNTS II AND III OF PLAINTIFF'S COMPLAINT (DOC. 1)**

This is a wrongful discharge case. Plaintiff Donald Housey claims he was wrongfully terminated from his position as the Macomb County Probate Court Administrator. The complaint is in four (4) counts; (I) Violation of 42 U.S.C. §1983 Due Process; (II) Wrongful Discharge- Breach of Contract and Legitimate Expectations; (III) Violation of Michigan's Whistleblower Protection Act (WPA); and (IV) Violation of 42 U.S.C. §1983 Free Speech. For the reasons stated on the record at the hearing held April 12, 2012, the Court declines to exercise supplemental jurisdiction of Housey's state law claims. Accordingly, counts (II) and (III) are **DISMISSED** without prejudice.

**SO ORDERED.**

Dated: April 13, 2012

s/Avern Cohn  
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AVERN COHN  
UNITED STATES DISTRICT JUDGE

**10-11445 Housey v. Macomb County, et al  
Order Dismissing Counts II and III of Plaintiff's Complaint**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, Friday, April 13, 2012, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160